

**AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM**

In compliance with the provisions of the Clean Water Act, as amended, (33 U.S.C. § 1251 et seq.; the "Act"); Hawaii Revised Statutes, Chapter 342D; and Hawaii Administrative Rules (HAR), Chapters 11-54 and 11-55, Department of Health (DOH), State of Hawaii;

J/R KONA ACQUISITION, LLC

(hereinafter "PERMITTEE"),

is authorized to discharge storm water associated with the construction activities from the Parking Lot Addition for Big Island Honda Showroom & Service Facility (Phase 1) in Kailua-Kona, Hawaii to the receiving water named Kailua Bay, a Class AA, Marine Water, at the following coordinates: Latitude 19°38'22"N and Longitude 155°59'51"W, in accordance with the general requirements, discharge monitoring requirements and other conditions set forth herein, and in the attached DOH "Standard NPDES Permit Conditions," dated December 30, 2005.

All references to Title 40 of the Code of Federal Regulations (CFR) are to regulations that are in effect on July 1, 2004, except as otherwise specified. Unless otherwise specified herein, all terms are defined as provided in the applicable regulations in Title 40 of the CFR.

This permit will become effective _____.

This permit and the authorization to discharge will expire at midnight, five (5) years from the effective date.

Signed this _____ day of _____, 2006.

(For) Director of Health

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- ATTACHMENTS:
- 1. STANDARD NPDES PERMIT CONDITIONS (Updated as of December 30, 2005)
 - 2. SOLID WASTE DISCLOSURE FORM FOR CONSTRUCTION SITES

A. GENERAL REQUIREMENTS

The Permittee shall:

1. Comply with all materials submitted in and with the application, dated April 19, 2006 and additional information, dated September 14, 2006, and September 22, 2006.
2. Retain a copy of the application, including other related materials, and this permit at the job site or at a nearby field office.
3. Design, operate, implement, and maintain the project site-specific BMPs Plan to ensure that storm water discharges associated with construction activities will not cause or contribute to a violation of applicable State water quality standards.
4. Implement the project site-specific BMPs Plan as often as needed to improve the quality of storm water discharges or when instructed by the Director of Health (Director).
5. Not cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.
6. Inspect, at a minimum of once per week, the receiving state waters, storm water runoff and control measures and BMPs to detect violations of and conditions which may cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4 (e.g., the permittee shall look at storm water discharges and receiving state waters for turbidity, color, floating oil and grease, floating debris and scum, materials that will settle, substances that will produce taste in the water or detectable off-flavor in fish, and inspect for items that may be toxic or harmful to human or other life.)
7. Immediately stop, reduce, or modify construction, or implement new or revised BMPs as needed to stop or prevent a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.
8. Review the effectiveness and adequacy of the implemented site-specific BMPs Plan(s) and Sediment and Erosion Control Plan(s) at a minimum of once per week, and update the plan as often as necessary. Any changes(s) to the site-specific BMPs Plans and/or Sediment and Erosion Control Plans or correction(s) to information already on file with the Clean Water Branch (CWB) shall be submitted to the CWB as such change(s) or correction(s) arises. The Permittee shall properly address all related concerns and/or comments to the CWB's satisfaction.

9. Know that this permit covers the scope of work as identified in the permit application, dated April 19, 2006, and additional information, dated September 14, 2006, and September 22, 2006. A separate NPDES permit application shall be submitted for any subsequent work or phases that are not included as part of this project scope.

B. REPORTING REQUIREMENTS

Public Notice
November 6, 2006

The Permittee shall:

1. Complete and submit the enclosed Solid Waste Disclosure Form for Construction Sites to the Office of Solid Waste Management as specified on the form.
2. Submit the following site-specific information to the CWB for review and comment at least 30 days prior to the start of construction activities:
 - a. The general contractor information (CWB-Individual NPDES Form C, Item 3).
 - b. A description of non-storm water sources (such as concrete drum/chute wash water, equipment and vehicle wash water, concrete curing water, saw-cutting slurry, dust control water, and emulsified asphalt or prime coat, etc.) and the method(s) to be used to handle and dispose of the non-storm water sources. (CWB-Individual NPDES Form C, Item 7).
 - c. A map or drawing showing the location of any construction baseyard(s) and/or staging area(s), (CWB-Individual NPDES Form C, Item 13.a.ii.3).
 - d. A map or drawing showing the areas used for the storage of soils, construction materials, or wastes and areas for the disposal of wash water from washing down of construction equipment and vehicles, concrete truck drum wash water, treated dewatering effluent, hydrotesting effluent discharge, etc (CWB-Individual NPDES Form C, Item 13.a.ii.7).
 - e. A map or drawing showing the location(s) where stabilization practices are expected to occur (CWB-Individual NPDES Form C, Item 13.a.ii.8).
 - f. The location(s) and descriptions of all structural controls including those that will be used to divert the offsite storm water from flowing into the construction site (CWB-Individual NPDES Form C, Item 13.a.ii.9).
 - g. A map or drawing showing the areas where vegetative practices are to be implemented (CWB-Individual NPDES Form C, Item 13.a.ii.10).
 - h. The signed county-approved Erosion and Sediment Control Plan and a schedule for implementing each control (CWB-Individual NPDES Form C, Item 13.b.v).
 - i. An updated timetable for major construction activities including the dates when the contractor will begin and end site disturbance; when erosion control

measures will be implemented and removed; and dates when major construction activities begin and end (CWB-Individual NPDES Form C, Item 13.b.vi).

- j. The Site-Specific Construction Best Management Practices (BMPs) Plan. Please ensure that details and dimensions of all BMPs to be used at the construction site are included in the site-specific BMP Plan (CWB-Individual NPDES Form C, Item 13.b and 13.c).

All related concerns and/or comments pertaining to the above listed items shall be properly addressed to the CWB's satisfaction before the start of construction activities.

3. Submit any changes to information on file with the CWB as soon as changes arise. The Permittee shall properly address all related concerns and/or comments to the CWB's satisfaction.
4. Immediately notify the Director of the incident and identify the pollutant(s) source(s) and the proposed and implemented control or mitigative measures as required in Section 16 of the "Standard NPDES Permit Conditions," dated December 30, 2005.
5. Complete and submit the Notice of Cessation Form (CWB-NOC Form) to the CWB within two (2) weeks of completion of the subject project to notify the CWB upon termination of the discharge activities. The CWB-NOC Form can be downloaded from our website at:
<http://www.hawaii.gov/health/environmental/water/cleanwater/forms/pdf/cwb-noc.pdf>.
6. Submit signed copies of all reports required by this permit to the Director at the following address or as otherwise specified:

Director of Health
Clean Water Branch
Environmental Management Division
Department of Health
P.O. Box 3378
Honolulu, HI 96801-3378

7. Include the following certification statement and signature on each submittal in accordance with HAR, Chapter 11-55, Section 11-55-7(b):

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine or imprisonment for knowing violations."

Include the NPDES permit number on each submittal. Failure to provide the assigned NPDES permit number for this facility on future correspondence or submittals may be a basis for delay of the processing of the document(s).

C. BEST MANAGEMENT PRACTICES (BMPs)

1. The Permittee shall:
 - a. Refrain from performing any work during heavy rainstorms.
 - b. Prevent loose particles, sand, soil, silt, and other construction debris at the project site from being washed away by storm water runoff to the various swales and drainage ways and eventually to the State waters.
 - c. Not discharge water used for dust control to State waters.
 - d. Not discharge water used for irrigation to State waters, as applicable.
 - e. Not discharge hydrotesting effluent to State waters, as applicable.
 - f. Not stockpile materials on-site without implementing the appropriate BMPs for the stockpile(s).
 - g. Wash-down vehicles and/or equipment and concrete truck drums only at designated areas and not discharge the wash waters to State waters.
 - h. Assure that the implemented BMPs are effective and the discharge effluent is in compliance with the basic State water quality standards.
2. The following special conditions apply to all land disturbance work conducted under this permit:
 - a. Construction Management Techniques
 - (1) Clearing and grubbing shall be held to the minimum necessary for grading and equipment operation.
 - (2) Construction shall be sequenced to minimize the exposure time of the cleared surface area.
 - (3) Construction shall be staged or phased for large projects. Areas of one (1) phase shall be stabilized before another phase is initiated. Stabilization shall be accomplished by temporarily or permanently protecting the disturbed soil surface from rainfall impacts and runoff.

- (4) Erosion and Sediment Control Measures shall be in place and functional before earth moving operations begin. These measures shall be properly constructed and maintained throughout the construction period.
- (5) All control measures shall be checked and repaired as necessary, for example, weekly in dry periods and within 24 hours after any rainfall of 0.5 inches or greater within a 24-hour period. During prolonged rainfall, daily checking is necessary. The permittee shall maintain records of checks and repairs.
- (6) The permittee shall maintain records of the duration and estimated volume of storm water discharge(s).
- (7) A specific individual shall be designated to be responsible for Erosion and Sediment Controls on each project site.

b. Vegetation Controls

- (1) Pre-construction vegetative ground cover shall not be destroyed, removed, or disturbed more than 20 calendar days prior to land disturbance.
- (2) Temporary soil stabilization with appropriate vegetation shall be applied on areas that will remain unfinished for more than 30 calendar days.
- (3) Permanent soil stabilization with perennial vegetation or pavement shall be applied as soon as practical after final grading. Irrigation and maintenance of the perennial vegetation shall be provided for 30 calendar days or until the vegetation takes root, whichever is shorter.

c. Structural Controls

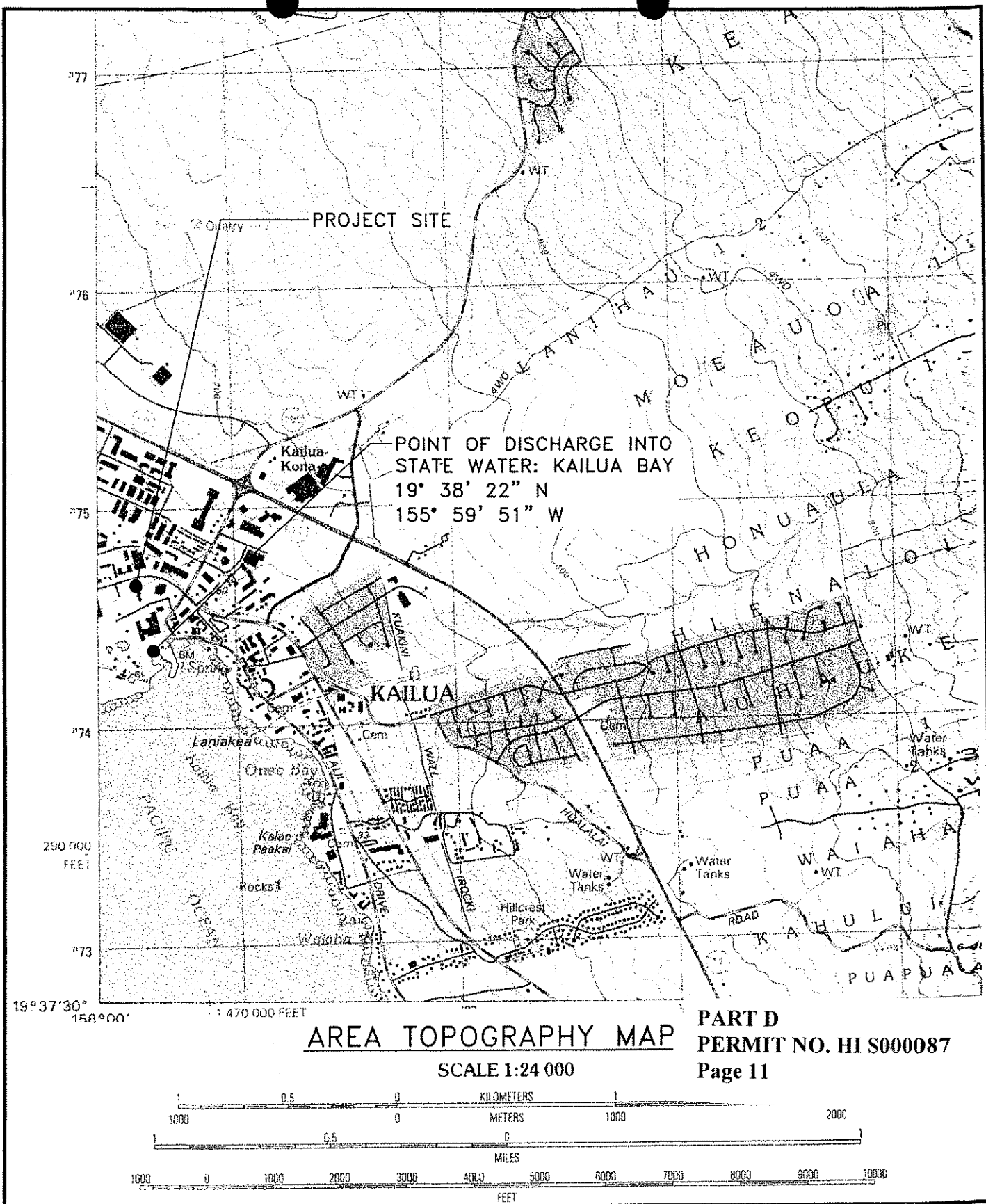
- (1) Storm water flowing toward the construction area shall be diverted by using appropriate control measures, as practical.
- (2) Erosion Control Measures shall be designed according to the size of disturbed or drainage areas to detain runoff and trap sediment.
- (3) Water must be discharged in a manner that the discharge shall not cause or contribute to a violation of the basic water quality criteria as specified in HAR, Chapter 11-54, Section 11-54-4.

D. MAP

See attachment 1

draft

Attachment 1



PROJECT: PARKING LOT ADDITION FOR
 BIG ISLAND HONDA
 SHOWROOM & SERVICE FACILITY
 (PHASE I)

DATE: APRIL 25, 2006

Public Notice
 November 6, 2006

REFERENCE SHEET: FROM USGS QUAD MAP
 KAILUA QUADRANGLE

SCALE: SEE SCALE ABOVE

DESCRIPTION: SURROUNDING TOPOGRAPHY